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April 11, 2005

Ms. Kathleen M. Finn
United States Department of Agriculture
Marketing Order Administration Branch, Fruit and Vegetable Programs
1400 Independence Avenue SW
Washington, DC 20250-0237

Re: Docket No. AO-90-A7; FV05-916-1

Dear Ms. Finn:

California Food Policy Advocates (CFPA) appreciates this opportunity to register its strong opposition to the proposed amendments to Marketing Agreement Nos. 124 and 85 and Orders Nos. 916 and 917, appearing in the Federal Register for January 28, 2005, at Volume 70, No. 18, pp. 4041 et seq.

CFPA is a statewide nutrition policy and advocacy organization whose mission is to improve the health and well-being of low-income Californians by increasing their access to nutritious, affordable food. CFPA develops and promotes policy strategies to prevent food insecurity and hunger and to prevent obesity. Our primary focus is upon the federal food programs, which, because of their size, scope and entitlement status, represent an unparalleled resource for improving the nutrition quality of low-income people's diets.

California is beset by the tragic epidemic of obesity: it is generally recognized that as many as 60 percent of our adult population are overweight or obese; more than 25 percent of the state's children are estimated to be overweight or at risk of overweight. California communities and their decision makers at the federal, state and local level have become keenly aware that among the most prominent obesity prevention strategies is the imperative to increase consumption of fruit and vegetables. Reliable studies and papers establishing the essential benefits of fruit and vegetables in obesity prevention are abundant. For example:

Low intake of fruits and vegetables is associated with childhood overweight. (Center on Weight and Health, University of California at Berkeley, 2001, *Pediatric Overweight: A Review of the Literature*.)

When fruits and vegetables are added to children's diets, fat intake tends to decline. Ibid.

Children will eat fruits and vegetables when they are available: in the federal Fruit & Vegetable Pilot Program, children consumed nearly 95 percent of the fruits and vegetables that were offered. (Economic Research Service, 2003, *Evaluation of the USDA Fruit and Vegetable Pilot Program: Report to Congress.*)

In the face of such strong, insistent evidence of the value of fruit and vegetables in preventing obesity, it is difficult to understand why USDA even would consider action to hinder their widest availability. At the same time, the proposed restrictions upon the sale and distribution of peaches and nectarines can only have the effect of shrinking the fruits' availability and therefore increasing their price, thus providing a substantial barrier to the purchase of these healthy foods by low-income families whose food-buying budgets already are sorely strained.

In fact, the proposed amendments seem to pose an enormous contradiction to the whole thrust of current federal nutrition policy that is being implemented to prevent obesity. Prominent features of the aggressive federal policy to increase the consumption of fruit and vegetables include:

The nationwide, well-established 5 a Day Program.

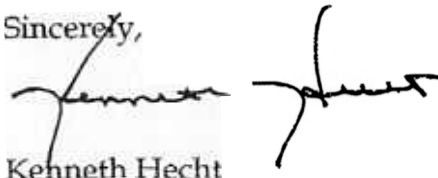
The HealthierUS standards promulgated in 2004.

The federal Fruit and Vegetable Pilot Program, acknowledged to be so successful that it was continued and expanded in the 2004 reauthorization of the child nutrition programs.

CFPA respectfully opposes the proposed amendments as strikingly counterproductive to the growing national commitment to promote fruit and vegetable consumption as a principal resource in preventing obesity, food insecurity and hunger.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Hecht', is written over a light blue rectangular background.

Kenneth Hecht

Kathleen Finn (*by e-mail*)

Hearing Clerk (*by fax*)
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